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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CONOPCO INC. d/b/a UNILEVER,

Plaintiff,

- against -

WELLS ENTERPRISES INC.,

Defendant.

-----X

NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE

O R D E R

14 Civ. 2223 (NRB)

**WHEREAS** plaintiff filed a motion to dismiss defendant's counterclaims on June 12, 2014; and

**WHEREAS** the Court did not schedule briefing or argument on plaintiff's motion, in order to conserve judicial resources while the parties attempted to settle; and


**WHEREAS** the parties have informed the Court that they have concluded their settlement discussions without reaching an agreement; and

**WHEREAS** plaintiff filed a superseding motion to dismiss on December 3, 2014; it is hereby

**ORDERED** that plaintiff's June 12 motion (ECF No. 16) is denied without prejudice; and it is further

**ORDERED** that the parties propose a schedule for the briefing of plaintiff's December 3 motion, with all briefing to be completed by February 2, 2015.

Dated: New York, New York  
December 4, 2014

  
NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE

Copies of the foregoing Order have been mailed on this date to the following:

Counsel for Plaintiff:

Gregory P. Gulia, Esq.  
Vanessa C. Hew, Esq.  
Mitchell A. Frank, Esq.  
Sarah Peyronnel, Esq.  
Duane Morris LLP  
1540 Broadway  
New York, NY 10036-4086

Counsel for Defendant

Edward H. Rosenthal, Esq.  
Beth I. Goldman, Esq.  
Frankfurt Kumit Klein & Selz PC  
488 Madison Avenue, 10th Floor  
New York, NY 10022

Natalie Hanlon-Leh, Esq.  
Faegre Baker Daniels LLP  
3200 Wells Fargo Center  
1700 Lincoln Street  
Denver, CO 80203